

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

---

WELL LUCK COMPANY, INC.

Plaintiff-Appellant,

v.

UNITED STATES,

Defendant-Appellee.

---

:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:

Appeal No: 2017-1816

**ORDER**

Upon reading defendant-appellee's, United States, consent motion for an enlargement of time to file its brief; upon consideration of other papers and proceedings herein; and upon due deliberation, it is hereby

ORDERED that the motion be, and hereby is, granted and the time for defendant-appellee, United States, to file its brief is extended for a period of thirty (30) days, through and including August 2, 2017.

FOR THE COURT:

---

Dated: Washington, D.C.

This            day of            , 2017

**SERVICE LIST**

Luis F. Arandia, Jr.  
Robert T. Givens  
Givens & Johnston, PLLC  
950 Echo Lane, Suite 360  
Houston, TX 77024  
Attorneys for Plaintiff-Appellant  
Well Luck Company, Inc.

Alexander Vanderweide  
U.S. Department of Justice  
Civil Division  
Commercial Litigation Branch  
International Trade Field Office  
26 Federal Plaza, Rm. 346  
New York, NY 10278  
Attorneys for Defendant-Appellee  
United States

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

---

WELL LUCK COMPANY, INC.

Plaintiff-Appellant,

v.

UNITED STATES,

Defendant-Appellee.

---

:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:

Appeal No: 2017-1816

**CONSENT MOTION FOR AN ENLARGEMENT OF TIME**

Pursuant to Rules 26 and 27, Federal Rules of Appellate Procedure, and Rules 26 and 27, Rules of the United States Court of Appeals for the Federal Circuit, defendant-appellee United States respectfully requests this Court to grant us a 30 day enlargement of time within which to file our brief. The Government's brief is currently due on July 3, 2017, and a 30 day enlargement of time would extend this due date up to and including August 2, 2017. We have not previously requested an extension of time for this purpose.

On June 20, 2017, Mr. Luis F. Arandia, Jr. of Givens & Johnston, PLLC, counsel for plaintiff-appellant, Well Luck Company, Inc. (Well Luck), advised that Well Luck consented to the requested 30 day enlargement of time.

Good cause exists for this motion. The additional time is necessary to account for the obligations in the work schedule of the undersigned counsel. Specifically, in addition to preparing the brief in this appeal, in *XYZ Corporation v. United States*, Court No. 17-00125 (Ct. Int'l Trade), Government counsel participated in a telephone conference with all parties and the trial court on May 26, 2017, filed a response in opposition to an application for a temporary restraining order on May 30, 2017, filed a motion to dismiss the case and response

in opposition to an application for a preliminary injunction on June 7, 2017, argued before the trial court at a hearing on plaintiff's application for a preliminary injunction on June 14, 2017, helped prepare a reply brief that was filed on June 15, 2017, and argued before the trial court at an additional oral argument on June 20, 2017.

The additional 30 days will allow counsel sufficient time to finalize the Government's brief and obtain approval for filing. For these reasons, defendant-appellee United States respectfully requests that the Court grant this consent motion for an extension of time to and including August 2, 2017, to file our brief.

Respectfully submitted,

CHAD A. READLER  
Acting Assistant Attorney General

JEANNE E. DAVIDSON  
Director

By: /s/\_\_\_\_\_  
AMY M. RUBIN  
Assistant Director  
International Trade Field Office

/s/\_\_\_\_\_  
ALEXANDER VANDERWEIDE  
Trial Attorney  
Department of Justice, Civil Division  
Commercial Litigation Branch  
26 Federal Plaza – Suite 346  
New York, New York 10278  
Attorneys for Defendant-Appellee  
United States

Dated: June 21, 2017

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

---

WELL LUCK COMPANY, INC.

Plaintiff-Appellant,

v.

UNITED STATES,

Defendant-Appellee.

---

:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:

Appeal No: 2017-1816

**DECLARATION**

I, Alexander Vanderweide, state and declare as follows:

1. I am a Trial Attorney with the International Trade Field Office, Civil Division, U.S. Department of Justice, and am principally responsible for representing the United States in this appeal.

2. The brief of the United States, defendant-appellee, is currently due to be filed under the Rules of this Court on or before July 3, 2017.

3. I submit this declaration, pursuant to Fed. Cir. R. 26(b)(5), in support of our request for a 30 day enlargement of the time, through and including August 2, 2017, to file our brief.

4. The additional time is necessary to account for the obligations in the work schedule of the undersigned counsel.

5. In addition to the defendant-appellee's brief in this case, Government counsel has also been responsible for the following filings and obligations in *XYZ Corporation v. United States*, Court No. 17-00125 (Ct. Int'l Trade):

- Telephone conference with all parties and the trial court, held on May 26, 2017;
- Response in opposition to plaintiff's application for a temporary restraining

order, filed on May 30, 2017;

- Motion to dismiss the case and response in opposition to plaintiff's application for a preliminary injunction, filed on June 7, 2017;
- Oral argument on plaintiff's application for a preliminary injunction, held on June 14, 2017;
- Reply brief in support of the Government's motion to dismiss, filed on June 15, 2017; and
- Additional oral argument, held on June 20, 2017.

6. The extension of time is necessary to allow counsel time to complete the preparation of our brief, coordinate the contents of our brief with counsel for the relevant agency, obtain supervisory review, and finalize our brief for filing with the Court.

7. The United States has not previously requested an extension of time for this purpose.

8. On June 20, 2017, Mr. Luis F. Arandia, Jr. of Givens & Johnston, PLLC, counsel for plaintiff-appellant, Well Luck Company, Inc., advised that Well Luck consented to the requested 30 day enlargement of time.

9. I declare under penalty of perjury that the foregoing is true and correct.

/s/ Alexander Vanderweide  
ALEXANDER VANDERWEIDE  
Trial Attorney

Dated: June 21, 2017

**CERTIFICATE OF SERVICE**

I hereby certify under penalty of perjury that on this 21<sup>st</sup> day of June, 2017, a copy of the foregoing Consent Motion For An Enlargement Of Time was filed electronically. I understand that this filing was served electronically to all parties by operation of the Court's electronic filing system.

/s/ Alexander Vanderweide  
ALEXANDER VANDERWEIDE